

House File 2130 - Introduced

HOUSE FILE 2130

BY HEARTSILL

A BILL FOR

1 An Act modifying the criminal offense of harassment, and
2 providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 708.7, subsection 1, paragraph a, Code
2 2016, is amended by adding the following new subparagraphs:

3 NEW SUBPARAGRAPH. (5) Photographs or films the genitals,
4 anus, or female breast of the other person, or shows the other
5 person engaged in a sex act, without the consent of the other
6 person.

7 NEW SUBPARAGRAPH. (6) Publishes or distributes an
8 electronic or printed photograph, picture, or film that shows
9 the genitals, anus, or female breast of the other person,
10 or shows the other person engaged in a sex act, without the
11 consent of the other person.

12 Sec. 2. Section 708.7, subsection 2, paragraph a, Code 2016,
13 is amended to read as follows:

14 a. A person commits harassment in the first degree when
15 the person commits harassment involving a threat to commit
16 a forcible felony, commits harassment involving a violation
17 of subsection 1, paragraph "a", subparagraph (5), or commits
18 harassment and has previously been convicted of harassment
19 three or more times under [this section](#) or any similar statute
20 during the preceding ten years.

21 Sec. 3. Section 708.7, subsection 3, paragraph a, Code 2016,
22 is amended to read as follows:

23 a. A person commits harassment in the second degree when the
24 person commits harassment involving a threat to commit bodily
25 injury, commits harassment involving a violation of subsection
26 1, paragraph "a", subparagraph (6), or commits harassment and
27 has previously been convicted of harassment two times under
28 this section or any similar statute during the preceding ten
29 years.

30 EXPLANATION

31 The inclusion of this explanation does not constitute agreement with
32 the explanation's substance by the members of the general assembly.

33 This bill relates to the criminal offense of harassment.

34 The bill modifies the criminal offense of harassment in
35 violation of Code section 708.7 to include when a person, with

1 intent to intimidate, annoy, or alarm another person, films the
2 genitals, anus, or female breast of the other person, or shows
3 the other person engaged in a sex act, without the consent of
4 the other person. A person who violates this provision commits
5 harassment in the first degree. Harassment in the first degree
6 is an aggravated misdemeanor. An aggravated misdemeanor is
7 punishable by confinement for no more than two years and a fine
8 of at least \$625 but not more than \$6,250.

9 The bill modifies the criminal offense of harassment to also
10 include when a person, with intent to intimidate, annoy, or
11 alarm another person, publishes or distributes an electronic or
12 printed photograph, picture, or film that shows the genitals,
13 anus, or female breast of the other person, or shows the
14 other person engaged in a sex act, without the consent of the
15 other person. A person who violates this provision commits
16 harassment in the second degree. Harassment in the second
17 degree is a serious misdemeanor. A serious misdemeanor is
18 punishable by confinement for no more than one year and a fine
19 of at least \$315 but not more than \$1,875.

20 A person who commits any type of harassment in violation of
21 Code section 708.7 also commits interference with judicial acts
22 if the harassment involves a judicial officer, court employee,
23 or family member of a judicial officer or court employee,
24 and the harassment is with the intent to interfere with or
25 improperly influence, or in retaliation for, the official
26 acts of a judicial officer or court employee. A person who
27 commits interference with judicial acts commits an aggravated
28 misdemeanor.

29 A person convicted of harassment may also be required to
30 register as a sex offender if the offense is determined to be
31 sexually motivated.